

REMARKS

This Amendment is in response to the Official Action mailed August 8, 2007.

The claims have been amended to better focus on the invention. Accordingly, claims 1, 3, 4, 5, 6, 8 and 27 directed to a multi-layer coating on a substrate and claims 12, 14 and 15 directed to a method of creating color are now pending in the application. All the remaining claims have been cancelled. Claim 1 has been amended to specify that the upper layer of the multi-layer coating contains colorants selected from dyes and pigments that will not scatter light that mask the emitted fluorescent light. The colorants are present in the upper layer in amounts of 0.001 to 50 percent by weight. Support for this amendment is found in original claim 2 that has now been cancelled and the last two sentences of paragraph [0025]. Claims 3, 4, 5, 6, 8, 12, 14, 15 and 27 have been amended to provide for proper antecedent basis and dependency.

The one remaining rejection in the case is under 35 U.S.C. 102(b) under U.S. 5,997,627 to Babler. Babler discloses pigment compositions containing a small particle sized porous filler and a pigment for use in coating compositions. Babler further discloses in column 6 beginning at line 43, a multi-layer coating comprising a lower layer of the aforementioned coating and a clear coating as an upper layer. The clear coating can contain polymer soluble organic dyes or fluorescent dyes. The pertinacy of the Babler reference is that it discloses multi-layer coatings with a lower layer comprising a resinous binder and light adsorbing particles and an upper layer comprising a resinous binder and fluorescent dyes. However, there is no disclosure in Babler of upper layers containing pigments that will not scatter light and mask the fluorescent light being emitted. Also, Babler offers no disclosure on the concentration of the colorants in the upper layer. Therefore, it is submitted that Babler is not a reference which anticipate applicant's claims under 35 U.S.C. 102(b) and reconsideration and withdrawal of the rejection is respectfully requested.

Should the Examiner have any questions concerning the above amendment and response, she is urged to contact Applicant's attorney undersigned below for a telephonic interview to resolve any outstanding issues.

Respectfully submitted,

A handwritten signature in cursive script, reading "William J. Uhl", positioned above a horizontal line.

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